

**Posted – May 15, 2013**

**REGULAR MEETING MAY 20, 2013**

**TOWN COUNCIL OF THE TOWN OF MIDDLETOWN, RHODE ISLAND**

**The following items of business, having been filed with the Town Clerk under the Rules of the Council, will come before the Council at a regular meeting to be held on Monday, May 20, 2013 at 7:00 P.M. (5:30 PM. – PRESENTATION; BUDGET IMMEDIATELY FOLLOWING) at the Middletown Town Hall, 350 East Main Road, Middletown, Rhode Island. All items on this agenda, with the exception of the Public Forum Session, may be considered, discussed and voted upon.**

**Any person not a member of the Council, desiring to address the Council concerning a matter on the docket of the Council, not the subject of a Public Hearing, shall submit a written request to the Town Clerk stating the matter upon which he desires to speak. Persons are permitted to address the Council for a period not to exceed five (5) minutes.**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**RECONSIDERATION**

**The Middletown Town Council follows the codification of present-day general parliamentary law as articulated in Robert's Rules of Order**

**Newly Revised 10th edition (2000), together with whatever rules of order the Council has adopted for its own governance. The motion to reconsider is one of the motions that can bring a question again before an assembly, and is designed to bring back for further consideration a motion which has already been voted on:**

**If, in the same session that a motion has been voted on, but no later than the same day or the next day on which a business meeting is held, new information or a changed situation makes it appear that a different result might reflect the true will of the assembly, a member who voted with the prevailing side can, by moving to Reconsider [RONR (10th ed.), p. 304-321] the vote, propose that the question shall come before the assembly again as if it had not previously been considered. (From Robert's Rules of Order Newly Revised In Brief, Robert, Evans et al., De Capo Press, 2004)**

## **5: 30 P.M.- PRESENTATION**

**1. Presentation of Pension/OPEB investment Committee, re: Review work that the Committee has done with the Actuaries (Buck Consultants) and Investment Advisor (PSolve) to update the Pension Investment Policy and analyze the Town Pension plan and OPEB liabilities and funding.**

## **BUDGET**

**2. Review of FY 2013–2014 Proposed Budgets – General Government, Beach, Public Safety, Non-department specific, Civic Appropriations and matters related thereto.**

## **PUBLIC FORUM SESSION**

**3. Pursuant to Rule 23 of the Rules of the Council, Citizens may address the town on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting. All items discussed during this session will not be voted upon.**

## **ACTING AS A BOARD OF LICENSE COMMISSION**

**4. (Public Hearing advertised; abutters notified)**

**Application of Main Hotel, LLC dba Homewood Suites, 348 West Main Road, for a Retailers Class BT Alcoholic Beverage License for the 2012-2013 licensing year. (NEW)**

**5. Petition of Thomas Ney, President and Mary Connor, Secretary, of All-Vets Club, 985 Aquidneck Avenue, re: Request for expansion of Class D Alcoholic Beverage to provide outdoor service on Saturday, May 25, 2013, beginning at 5:00 pm, for the All-Vets Club Fundraiser in honor of Sgt. Michael Verardo.**

**6. Petition of Thomas Ney, President and Mary Connor, Secretary, of All-Vets Club, 985 Aquidneck Avenue, re: Request for expansion of Class D Alcoholic Beverage to provide outdoor service on Sunday, June 2, 2013, beginning at 12:00 noon, for the All-Vets Club annual Viking Riders Blessing of the Bikers Fundraiser.**

## **CONSENT**

**7. Approval of Minutes, re: Regular Meeting, May 6, 2013.**

**8. Resolutions from Rhode Island Cities and Towns, re: Request for support – authorizing communities to utilize bus monitors at their discretion and Request support in opposition to House Bill 5953 and Senate Bill 0815 – relating to agriculture and forestry – renewable energy facilities. (See Attached List)**

**9. Notice of Public Hearings from the Zoning Board of Review –**

**Petition of Daniel G. Kamin, BJ's of Middletown, LLC (owner) – BJ's Wholesale Club, Inc. (applicant), for a Special Use Permit from Section 602(B) & 1106 – to allow the construction of a propane dispensing facility in a (GBA) General Business/Traffic Sensitive zoning district and Zone 2 of the Watershed Protection District consisting of two 1,000 gallon above ground LPG tanks and related appurtenances, on real estate located at 173 East Main Road, TAP 107SE, Lot 107.**

**10. Email communication CVDD II, LLC, re: Request to withdraw petition to rezone AP 111, Lot 9A.**

**11. Application of HPK, Inc., dba Tickets, 15 Aquidneck Avenue, for RENEWAL of Mechanical Amusement License for the 2013-2014 licensing year. (1 Juke Box, 1 Pool Table and 6 Games)**

**12. Applications received from the following named persons, firms and corporations for Special Event Permits. (See Attached List)**

## **LICENSES & PERMITS**

**13. Application of Main Hotel, LLC dba Homewood Suites, 348 West Main Road, for a Victualling House License for the 2012-2013 licensing year. (NEW)**

**14. Application of Peter Dorrien Traisci, Executive Director, Camp**

**Ramleh for a Special Event (Camp Ramleh Yard Sale) to be held at St. George's School, 372 Purgatory Road on Saturday, June 15, 2013 from 8:00 am to 12:00 noon. (Attached is a request to waive fee)**

**15. Applications five (5) for Special Event Permits received from Norman Bird Sanctuary, 583 Third Beach Road (See Attached List; request to waive fees attached)**

**16. Application of American Promotional Events, Inc. dba TNT Fireworks, 1315 West Main Road, for a Holiday License for the 2013-2014 licensing year. (NEW)**

**17. Application of Middletown Fraternal Order of Police Lodge #21, Mitchell's Lane, for a Mechanical Amusement License for the 2013-2014 licensing year. (NEW) (1 Juke Box and 2 Games)**

## **ORDINANCES**

**18. An Ordinance of the Town of Middletown (Second Reading)  
An Ordinance in Amendment to the Town Code of the Town of Middletown, Title III Administration, Chapter 36 Fee Schedule, Section 55 Recreation Fees.**

**19. An Ordinance of the Town of Middletown (First Reading)**

**An Ordinance in Amendment to the Town Code of the Town of Middletown, Title IX General Regulations, Chapter 96 Tree Preservation, Section 36.08 Location.**

**20. Memorandum of Town Administrator, re: Amendments to Town Code Chapter 36 Fee Schedule: Recreation Facility Use Fees.**

**21. An Ordinance of the Town of Middletown (First Reading)**

**An Ordinance in Amendment to the Town Code of the Town of Middletown, Title III Administration, Chapter 36 Fee Schedule, Section 52 Approved Reservation of Outdoor Public Places.**

## **COUNCIL COMMUNICATIONS**

**22. At the Request of Council President Semonelli, Resolution of the Council, re: Supporting Municipal Road and Bridge Revolving Fund.**

**23. At the request of Vice President Sylvia, Resolution of the Council, re: Supporting S0337 and H5498 - relating to the Code of Ethics.**

**24. At the request of Vice President Sylvia, Proclamation of the Council, re: Declaring May 25, 2013 as National Missing Children's Day in the Town.**

**25. Communication of Council President Semonelli, re: The Rhode**

**Island Defense Economy Planning Commission Meeting Thursday,  
May 9th minutes.**

**TOWN ADMINISTRATOR COMMUNICATIONS**

**26. Memorandum of Town Administrator, with enclosures, re:  
Pavilion – Wyatt Road Soccer Fields – Middletown Youth Soccer Club  
(MYSC).**

**27. Memorandum of Town Administrator, re: Proposed RIDOT 75%  
plans for Two-Mile Corner Improvements.**

**APPOINTMENTS TO BOARDS & COMMITTEES**

**28. Appointment of one (1) member to the Middletown Personnel  
Board of Review for a term expiring June 2016. (Bipartisan Board)**

**29. Memorandum of Town Administrator, with enclosures, re: Wind  
Turbine Advisory Committee ‘Sunsetting’.**



## **EXECUTIVE SESSION**

**30. Pursuant to provisions of RIGL, Sections 42-46-2, 42-46-4 and 42-46-5 (a) (1) personnel (Non-Classified Municipal Positions).**

**Wendy J.W. Marshall, CMC**

**Town Clerk**

**This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing impaired should notify the Town Clerk's Office not less than 48 hours before this meeting.**